

# Seattle Permits

— part of a multi-departmental City of Seattle series on getting a permit

## Planting Strip Landscaping and Paving Rules

### I. General Provisions

Beautification of planting strips is encouraged to enhance and soften the streetscape; to provide a buffer between vehicular and pedestrian traffic; and to discourage vehicular parking on planting strips, which is illegal.

### II. Definitions

**Planting Strip:** That portion of street lying between the constructed curb and property line, exclusive of the sidewalk area: Provided, that if there is no constructed curb, then the "planting strip" means that portion of the street lying between a constructed sidewalk and the property line: Provided further, that if there is no constructed curb or constructed sidewalk, then planting strip means that portion of the street lying between the traveled way and the property line, exclusive of any established pedestrian path.

### III. References

This rule references the following documents:

- A. Ordinance 118409, Section 3, Continuation of Authority, Reference Board of Public Works Rules 4.03.010 - 4.30.100.
- B. Seattle Municipal Code, Title 15, Street and Sidewalk Use.
- C. Seattle Municipal Code, Title 23, Land Use Code.
- D. Seattle, Municipal Code, Chapter 25.05.902, Environmental Protection and Historic Preservation.

### IV. General Requirements

A Street Use permit is required to install improvements, planting, or paving in a planting strip in the public right of way. A permit is also required to prune or remove a tree(s) from the public right of way. The following requirements govern the issuance of a Street Use permit:

#### A. Ratio of planting to planting strip dimensions:

1. A planting strip 5 feet wide or greater in width shall be planted with living vegetation to a minimum of 60% of the planting strip area; the remaining 40% of the area may be either planted or paved as described below.
2. A planting strip 2 to 5 feet in width shall be fully planted with sod, ground cover, shrubs or plants whose mature height is no greater than 3 feet, measured from ground level, except as provided in section IV-C below.
3. A planting strip less than 2 feet in width may be planted with sod, ground cover, or shrubs whose mature height is no greater than 2 feet, measured from ground level or may be paved as described below.

B. Paving material may include grasscrete, brick pavers or other approved material, preferably permeable. Gravel, cinders or other loose material will not be permitted unless contained in a tree pit. Bark may be used in conjunction with planting material but may not be installed as a single element.

C. Planting material lying within 30 feet of the curb line of any intersecting street is limited to 2 feet in height, measured from ground level.

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City of Seattle  
Seattle Department of Transportation  
Gregory J. Nickels, Mayor    Grace Crunican, Director

700 5th Avenue, Suite 3900  
P.O. Box 34996  
Seattle, WA 98124-4996  
(206) 684-ROAD (7623)

- D. A deciduous tree(s) planted in a planting strip shall be a minimum of 2 inch caliper when planted on an arterial street and 1 inch caliper when planted on a residential street. For the purpose of calculating planting strip coverage, each tree shall be considered equivalent to 100 square feet of plant material.

A tree(s) shall be planted a minimum of 3 ½ feet from the street curb and 2 feet from the edge of a sidewalk or established pedestrian path. A tree(s) may not be planted in a planting strip less than 5 feet in width unless reviewed and approved by the City Arborist.

The selection of tree species shall be made in accordance with: The Seattle Department of Transportation Tree Planting Standards.

- E. A raised planted box(es) shall be: no more than 18 inches in height, and no more than 1' foot in height if within 3 feet of the curb; no more than 40 feet in length; set back a minimum of 2 feet from the curb; and constructed to provide a minimum of 3 feet unimpeded clearance at each end to provide pedestrian access between the sidewalk and curbside vehicles.

Raised planter boxes may not be installed in planting strips less than 3 feet in width.

Planting heights in a raised planter box(es) shall be measured from the surrounding ground level rather than the ground level within the planter box(es).

- F. All planting or installations must be in compliance with the applicable regulations of SMC Title 15, and Chapters 23.05.034 and 25.05.902.

## V. Permit Application

The permit applicant shall provide the following information to the Director of Transportation:

- A. Name and address of applicant
- B. Address of proposed site and description of the improvement, planting and/or paving to be installed, or tree(s) to be pruned or removed.
- C. Drawings shall be submitted when the proposed installation is a requirement of a Master Use Permit or a component of a street or sidewalk improvement.
- D. City of Seattle business license number if work is

to be performed by a commercial firm.

- E. When planting or paving a planting strip, or pruning or removing a tree(s) in the public right of way within a Historic Landmark or Special Review District, the Director of Transportation will refer the application to the Director of Department of Community Development (DCD). The Director of DCD will refer the application to the appropriate Historic Landmark or Special Review District Board, and/or Commission for comment.

Historic Landmark or Special Review District Board or Commission comments on the Street Use permit application shall be filed with the Director of Transportation within two weeks. These comments will be considered in deciding to issue or deny a Street Use permit.

## VI. Permit Issuance

The Director of Transportation may issue a Street Use permit to install improvements, planting or paving in a planting strip, or prune or remove a tree(s) in the public right of way whenever the Director of Transportation has reviewed the permit application materials and determined that:

- A. The requirements of Section IV of these rules have been satisfied.
- B. The Department of Planning and Development has reviewed the application when the proposed installation is a requirement of the Land Use Code and/or a Master Use Permit.
- C. The Seattle Public Utilities, City Light and private utility companies have reviewed the application when utility installations may be affected.
- D. An application requesting an exception to these Rules has been approved by the Director of Transportation.
- E. When required by the Director of Transportation, payment of a cash deposit or provision of a bond to ensure installation, maintenance, and removal of the installation has been made.
- F. When required by the Director of Transportation, the applicant has obtained public liability insurance. The insurance shall be an amount deemed sufficient by the Director of Transportation to cover potential claims for bodily injury, death, or disability and for property damage which may arise from or be related to the permit

and shall name the City of Seattle as an additional insured. Insurance shall be maintained in full force and effect for the duration of the permit.

## VII. Planting Strip Maintenance

- A. A planting strip shall be maintained by the abutting property owner or applicant.
- B. Soil, bark or other loose material and planting material other than a tree(s) shall not be permitted to intrude upon the street or sidewalk.
- C. A tree(s) may extend over the right of way when kept trimmed to a height of 8 feet above a sidewalk and 14 feet above a roadway.
- D. When work occurs around a tree in the planting strip area, a tree protection device shall be provided to prevent damage to the tree root structure, trunk, and branches.
- E. The Director of Transportation may inspect the site under permit to ensure compliance with these Rules.

## VIII. Street Use Permit Cancellation

A Street Use permit for planting or paving a planting strip, or pruning or removing a tree(s) from the right of way is wholly of a temporary nature and vests no permanent rights. Circumstances which may result in cancellation of a permit include, but are not limited to violation of these Rules and/or SMC Title 15.

The Director of Transportation will issue all Street Use permit cancellation notices in writing, setting forth the basis for the cancellation therein. The cancellation will customarily be effective thirty days from the date of the notice, subject to the terms of the permit.

If a safety or health hazard is involved, such as root damage to a sidewalk or sewer system, an installation or plant material may be removed by a duly authorized employee of The City of Seattle immediately and without notice.

Where it is determined that planting or paving has been installed and/or maintained without a permit, the Director of Transportation shall notify the abutting property owner in writing of the need to obtain a permit for the installation within 15 working days. If a permit is not obtained within that period, the planting or paving may be removed by a duly authorized

employee of The City of Seattle immediately and without notice.

## IX. Authority

- A. The information in this document was adopted by the Board of Public Works (BPW) authorized by Municipal Code, Section 3.44.030.
- B. Section 4.30.040 of the Board Rules, Administration – The Board of Public Works hereby delegates the administration of these rules to the Director of Engineering.
- C. Pursuant to Ordinance 118409 Section 3. {+ Continuation of Authority. +} From and after January 1, 1997, all rules, regulations, notices and proceedings in effect with respect to the transportation functions of the former Engineering Department shall continue in effect unless and until they expire of their own terms or are superseded by order of the Director of Transportation or by ordinance.